

E-530 Instructions 2002

Communications Identifying Candidates

Proposition 34

Proposition 34 amended California's Political Reform Act by adding section 85310 which provides new disclosure requirements for certain types of communications. Proposition 34 was approved by voters in the November 2000 election and most of its provisions took effect January 1, 2001.

Disclosure

On-line disclosure reports must now be filed by:

- Anyone spending or promising to pay \$50,000 or more for a communication disseminated within 45 days of an election, **if**
- The communication clearly identifies a candidate for state elective office but does not expressly advocate the election or defeat of that candidate.

Example: An association has promoted a bill on children's bicycle safety and wants to tell the public about a certain legislator's authorship of the measure. The association purchases space on a billboard for \$100,000 that says, "Thank you, Senator Park, for supporting SB 1234!" If the communication thanking Senator Park is made within 45 days of the election in which Park is a state candidate, the association must file an on-line report with the Secretary of State disclosing the payment for the billboard.



When, Where, & How to File

The report must be filed within 48 hours of the payment being made or promised. The Secretary of State has developed an on-line report, Form E-530, for this purpose. Refer to the Secretary of State's Political Reform Division web site, located at www.ss.ca.gov, or call (916) 653-6224.

What Is Reported? Required Information.

The person making the payment or promise of a payment reports:

- His or her name and address, or the name and address of the committee;
- His or her occupation and employer, or the committee's identification number issued by the Secretary of State;
- The amount and date of the payment or promise;
- The name of the candidate(s) and the office(s) sought or held by the candidate(s) featured in the communication;
- The type of communication that triggered the filing (e.g., billboard, television ad).

Donations of \$5,000 Must Be Identified

If the person filing the report receives a payment of \$5,000 or more, or a promise for such a payment, from any one source for the purpose of funding the communication, the report must also include:

- The name and address of that funding source;
- The source's occupation and employer if required, or committee identification number issued by the Secretary of State; **and**
- The amount and date of the payment or promise.

Questions/Answers



Q: My organization bought billboard space thanking a senator. We paid for the space 60 days prior to her election day. The billboard will display the message for 30 days before the election. Are we required to file this report, and, if so, when is the report due?

A: Since the communication will still be displayed within 45 days of the election, your organization will be required to file the report. It will be due 48 hours after you make or promise to make the payment for the billboard's space.

Q: Our state committee will buy ad space in a newspaper criticizing two state assembly members. The ad will cost \$60,000 and will run three days before the state primary election. Are we required to file a report?

A: Yes.

